

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States Courts

Amended
CRIMINAL COMPLAINT

Danilo Hernandez-Garcia

PRINCIPAL

Southern District of Texas

Case Number:

YOB:

1967

FILED

M-18- 0479

-M

Mexico

03/03/18

David J. Bradley, Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 2, 2018 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Jose Antonio Escobar-Diaz, citizen of El Salvador and Karla Limon-Castillo, citizen of Mexico, along with ⁽¹⁰⁾ ~~twelve~~ (12) other undocumented aliens for a total of ⁽¹²⁾ ~~fourteen~~ (14), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Alamo, Texas to the point of arrest near Alamo, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On March 2, 2018, a Border Patrol Agent responded to a sensor activation south of Military Highway and Tower Road in Alamo, Texas. This area is known for illegal alien smuggling and is less than half a mile away from the Rio Grande River. The responding agent observed a dark in color Ford Expedition traveling north on a farm road near the sensor activation. The Expedition was the only vehicle in the area. The agent observed the Expedition was heavily laden from the back, then activated his vehicle's emergency equipment and conducted a vehicle stop. As the agent approached the Expedition, he was able to observe the driver, later identified as Danilo HERNANDEZ-Garcia, a legal permanent resident, and several passengers sitting on top of each other on the front and rear seats of the Expedition. An immigration inspection was conducted on all passengers and all passengers were determined to be illegally present in the United States. All subjects were placed under arrest and transported to the Border Patrol Station for processing.

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on March 3, 2018.
SEE ATTACHED.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

/S/ SALVADOR MENDEZ

Signature of Complainant

Sworn to before me and subscribed in my presence,

Salvador Mendez Senior Patrol Agent

Printed Name of Complainant

March 3, 2018

Date

at McAllen, Texas

City and State

J Scott Hacker

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18- 0479 -M

RE: Danilo Hernandez-Garcia

CONTINUATION:

PRINCIPAL STATEMENT

Danilo HERNANDEZ-Garcia, a Legal Permanent Resident, was read his Miranda Rights and refused to provide a statement without an attorney present.

MATERIAL WITNESS-1:

Jose Antonio ESCOBAR-Diaz, a citizen of El Salvador, was read his Miranda Rights and agreed to provide a statement without an attorney present.

ESCOBAR stated his friend made his smuggling arrangements and was to pay an unknown dollar amount. Once in the United States, ESCOBAR stated he was guided by two footguides through the brush to a road where he met with several other individuals. ESCOBAR stated shortly there after, a black truck arrived and they boarded the truck. ESCOBAR claimed the driver of the truck drove off and moments later they were stopped by Border Patrol.

Jose ESCOBAR-Diaz was shown a photo line-up and was able to identify HERNANDEZ as the driver of the black truck.

MATERIAL WITNESS-2:

Karla LIMON-Castillo, a citizen of Mexico, was read her Miranda Rights and agreed to provide a statement without the presence of an attorney.

LIMON stated she made her smuggling arrangements with a smuggler and was to pay \$1200 USD. LIMON stated she crossed the river with several other individuals and walked through the brush for approximately fifteen minutes until they arrived to a levee. Once there, LIMON claimed they were instructed by a footguide that a truck would be arriving soon. LIMON stated a short time later, a truck arrived to their location and the footguide instructed them to board the truck. LIMON indicated, once they drove away, the driver of the truck instructed everybody to hide their heads from view.

Karla LIMON-Castillo was shown a photo line-up and was able to positively identify HERNANDEZ as the driver of the truck.